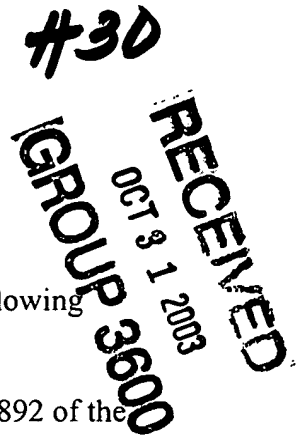




DECLARATION OF DEAN ALDERUCCI



1. I, Dean Alderucci accessed the Radio Shack™ web site indicated by the following URL:

<http://www.radioshack.com/partners/verizon/verizonlanding.asp>
on October 22, 2003. This is the same URL indicated on item u on form PTO-892 of the Office Action mailed April 22, 2003.

2. All of the below-described Web pages I printed out and attached hereto. They are consecutively numbered from 1 - 25, as seen in handwriting in the bottom right corner of each page.

3. Pages 1 - 4 represent the first Web page seen when accessing the above-described URL. Unlike the Radio Shack Web site document submitted by the Examiner, the first Web page includes no indication of different prices for the same phone.

4. I accessed a second web page by clicking on the "LG VX 6000 Digital Camera Phone" advertisement on the first Web page. Pages 5 - 7 represent the second Web page. Nowhere on this second page is there any way to purchase the phone, though one can purchase accessories such as a "Body Glove Phone Case". In fact, a price for the phone is not even given. The viewer is directed to "See Store for Price", indicating that one must purchase the phone through the store.

5. I accessed a third web page by clicking on the "Phones and Radio Communications" link on the first Web page, and then clicking on the ensuing link named "Cellular and PCS Phones by carrier". Pages 8 - 9 represent the third Web page.

6. I accessed fourth, fifth and sixth web pages by clicking on the "Atel, Cingular, US Cellular" link on the third Web page. Pages 10 - 11 represent the fourth Web page. Pages 12 - 13 represent the fifth Web page. Pages 14 - 15 represent the sixth Web page. All of the phones advertised on these pages include the notation to "See Store for Price".


7. I accessed seventh and eighth web pages by clicking on the "PCS Wireless from Sprint" link on the third Web page. Pages 16 - 17 represent the seventh Web page. Pages 18 - 19 represent the eighth Web page. All of the phones advertised on these pages include the notation to "See Store for Price".

8. I accessed ninth and tenth web pages by clicking on the "Verizon Wireless" link on the third Web page. Pages 20 - 21 represent the ninth Web page. Pages 22 - 23 represent the tenth Web page. All of the phones advertised on these pages include the notation to "See Store for Price".

9. I accessed an eleventh web pages by clicking on the "Samsung® SCH-A530" link on the ninth Web page. Pages 24 - 25 represent the eleventh Web page. Nowhere on this eleventh page is there any way to purchase the phone, though one can purchase accessories such as a "leather Case" and "JABRA® Ear Set". In fact, a price for the phone is not even given. The viewer is directed to "See Store for Price", indicating that one must purchase the phone through the store.


10. After searching for some time, I was not able to find any way to purchase a cellular telephone online from this Web site, much less a cellular telephone with a service plan. Each telephone had no accompanying "Add to Cart" button anywhere, nor any other means to purchase the telephone online.

11. However, I was able to add several other types of products to my cart, such as a "Leather Case for Samsung® SCH-a530" and a "Body Glove® Phone Case Swivel Clip". Each of these products which were not telephones had an accompanying "Add to Cart" button.


Dean Alderucci
Registration No. 40,484

Oct. 22, 2003
October 22, 2003

Subscribed and Sworn to before me, a Notary
Public, in and for County of Tanfield
and State of Connecticut, this 22nd day of
October, 2003


Notary Public
My Commission Expires Aug. 31, 2007



Type keyword or product number

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Zip code

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Product Catalog Monthly Flyer What's New What's On Sale Coupons Product Manuals Commercial Customers

- Audio
- Batteries & Power
 - Computers & Networking
 - Digital Cameras & Imaging
 - Parts, Tools & Wire
 - Phones & Radio Communications
 - School & Office
 - Security & Home Automation
 - Toys & Gaming
 - TV, Satellite & Video
 - Unique Gadgets & Gifts

verizon wireless At RadioShack

GET THE LG® VX6000 DIGITAL CAMERA PHONE FOR JUST \$149.99!

After \$50 mail-in rebate from RadioShack¹ and with 2-year agreement \$399.99 without.

Send pictures to other phones and any e-mail address[†]

Send and store pictures online[†]

Reg. price \$199.99 - \$50 RadioShack mail-in rebate¹ = \$149.99* (With 2-year agreement. \$399.99 without.)

View by Category

Sign up and save.

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- BatteryFinder
- Cellular & PCS Accessories Finder
- Gift Cards
- Gift Finder
- LifeWise™
- Rebate Center
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- XMODS™
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Get Attached!

Wide selection of wireless accessories.

See All >

5 Reasons Why

RadioShack is America's #1 Wireless Consumer Electronics Retailer

Find Out >>

Save \$73.99! When you purchase this phone, plus all 3 accessories.



Genuine Leather Case #17-836 \$29.99
Car Power Adapter #273-1295 \$29.99
JABRA® EarSet® #17-853 \$19.99

Regular separate accessories \$79.97. You get all 3 for \$55.98! Get the phone plus accessories for \$205.97.

Introducing a Push to Talk Phone from Verizon Wireless! Now at RadioShack! Only \$149.99!

With 2-year agreement \$349.99 without

Now there's a Push to Talk phone that works where you do, and it's from Verizon Wireless.² Motorola® V60p. a Push to Talk phone from the provider of America's best, most reliable Wireless Network. National Service-reach and be reached in more places across the country. No dialing, no phone tag. Talk

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RCA®
RCA® DIRECTV®
SPRINT PCS
VERIZON WIRELESS®



one-to-one or with many people at once. #17-1920

Genuine Leather Case #17-835 \$29.99
Car Power Adapter #273-1293 \$29.99
JABRA® EarSet® #17-853 \$19.99

Unlimited Night & Weekend Minutes and 400 Anytime Minutes³
From Verizon Wireless when you sign up for a Push to Talk calling plan by 11/02/03. Plus, get 1000 anytime mobile to mobile minutes to call any of our 32.5 million customers on our national mobile to mobile network. FREE group Push to Talk calling. Talk one-to-one or with many people at once. Groups will be limited to 10 people for the first 90 days. After 90 days, groups will be limited to 20 people. See store for details.



NEW! Motorola® C333 for FREE!
With 2-year agreement. \$200.00 without. See store for details!

Write extra-long text messages†—up to 1000 characters!
Personalize with wallpaper, screensavers, ringtones, type styles and more.† Enhanced messaging service capable.
#17-1869/70

Genuine Leather Case #17-832 \$29.99
Car Power Adapter #273-1290 \$29.99
JABRA® EarSet® #17-853 \$19.99

**ACCESSMOTO**
THE NEW LEAD PACK

Available exclusively at RadioShack

2

*Advertised prices require 2-year Customer Agreement with Verizon Wireless and credit approval. Monthly access, long-distance fees, taxes and other charges for airtime will be made. Carrier will impose a \$175 fee for early termination. If you terminate service within 120 days of activation, to avoid a \$200 charge from RadioShack, you must return the phone. California residents: Sales tax is added to the unactivated price of the phone per the State Board of Equalization.

¹ \$50 RadioShack mail-in rebate good through 10/23/03 with purchase and activation of a new LG VX6000 phone. See store for details.

² Join by December 31, 2003 and get free unlimited group-calling for as long as you remain on your plan. And also enjoy unlimited one-to-one Push to Talk calling all with our Push to Talk-capable phone and any America's Choice with Push to Talk calling plan starting at \$59.99 monthly access with 1 or 2-year Customer Agreement. Subject to Customer Agreement, Calling Plan, credit approval and terms and conditions of Push to Talk. Cannot combine with other offers. Usage rounded to next full minute. Unused minutes lost. Coverage service and offers not available in all areas. Only available in National Enhanced Services area and with other Verizon plans.

Wireless Push to Talk subscribers. Best Network claim based on results of our reliability studies: network advantages.

See www.verizonwireless.com/bestnetwork for details.

3 Minute offer good through 11/2/03 with credit approval. Subject to Customer Agreement and Calling Plan. Cannot be combined with any other offers. Usage rounded up to the next full minute. Unused allowances lost. Subject to taxes and other charges. Geographic and other restrictions apply. Night and Weekend minutes may vary by market. Select CDMA equipment required. National mobile to mobile calls are limited to calls on the Verizon Wireless network and may not be available throughout the entire America's Choice network.

4 Digital service and select CDMA digital phone required. After 1/2/04, monthly allowance is 100 TXT messages and 20 picture messages for \$4.99 monthly access. Excess TXT messages and alerts will be billed at 10¢/message sent and 2¢/message received. Excess picture messaging billed at 25¢/picture message sent and received. Charges are per address. Airtime charges apply when sending and receiving picture messages. See product brochure for details. Limited-time offer.

5 Offer valid through 10/23/03 or while supplies last. Purchase of new Motorola handset and bundle on the same ticket required. See sales associate for details. MOTOROLA and the Stylized M Logo are registered in the US Patent & Trademark Office. All other product or service names are the property of their respective owners. ©Motorola, Inc. 2003. NFL and NFL Shield design are registered trademarks of the National Football League.



†Network or subscription-dependent feature.

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NEW! LG® VX6000 for Verizon Wireless

See Store For Price *Brand: LG®*
Catalog #: 17-1918 **Model: VX6000**

(Pricing and Availability may vary outside the contiguous 48 United States.)

[View by Category](#)

Where to Buy

On-line	No
1-800-THE-SHACK	No
In Stores	Yes

Find it at your local store: Zip code


**Sign up
and save.**



▲ Get a \$50 Mail-in Rebate


Sleek, silver phone has a built-in digital camera!

PRODUCT FEATURES	
• Flip-style phone, available in silver	
• Built-in camera, complete with zoom control and three resolution adjustments	
• Integrated CMOS digital camera features: CMOS 330K pixels; built-in mirror for self-portraiture; upload, store and share pictures*; resolution adjustment (low, medium, high); white balance adjustment (auto, sunny, cloudy, fluorescent, tungsten, darkness); color effects adjustment (normal, antique, black & white, negative); self-timer (5 seconds, 10 seconds); 5 fun frames; brightness adjustment; file quality (economy, normal, high); shutter sound (shutter, chime, no sound); multishot adjustment	
• External LCD for quick access to Caller ID* (OEL)	
• Multimedia Messaging Service (MMS)* to upload, store and share pictures	
• Blue backlit keypad	
• Get It Now capable	
• Download pictures, ringtones and games*	
• Openwave UP 4.1 browser	


 [view larger image](#)

Need Related Products?


Click on the accessory you need below, and then click the Add to Cart or Update Cart button.




[Body Glove® Phone Case Swivel Clip](#)
17-850 **\$12.99**





[Body Glove Mini Universal Case](#)
17-817 **\$19.99**





[FoneFree™ Wireless Hands-Free Transmitter](#)
17-935 **\$19.99**


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 **Gift Cards**


 **Gift Finder**


 **LifeWise™**


 **Rebate Center**

 **Repair**

 **XMODS™**

 **ZipZaps™**

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<http://www.radioshack.com/product.asp?catalog%5Fname=CTLG&category%5Fname=&product%5Fid=17%2D1918>

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1" Universal Gripmatic Wireless Phone
Holder
17-531
\$21.49



JABRA® EarSet® WindUp™ Universal
Headset for Wireless Phones
17-974
\$39.99

• Caller ID* ringtones: 31 plus vibrate and silent alert
• CMX MIDI for sounds and ringtones
• Customizable Caller ID*, wallpaper choices, power-on/power-off images
• Personal organizer: calendar with scheduler, alarm clock, note pad, voice memo, calculator, EZ lip calculator, world clock
• Phonebook: 499 contacts (each stores 5 numbers and 3 e-mail addresses)
• Speed-dialing (99 entries)
• Voice-activated dialing (30 entries)
• Two-way Short Messaging Service* (SMS)
• Five-way navigation key
• Internal USB capable
• Integrated headset jack
• TTY/TDD support
• T9 text input
• English and Spanish user interface
• Desktop charger with AC adapter
• Holster
• 1.9GHz PCS, 800MHz CDMA (dual-band CDMA)
• Size: 3.54x1.9x0.95" (9.0x4.8x2.4cm) (HWD)
• Weight: 3.98 oz. (112.8g) with battery
• Internal display: TFT color (262K); LCD size: 120x160 pixels
• External display: OEL color; LCD size: 96x38 pixels
• Standard Lithium-ion battery (950mAh)
• Talk time**: 3.5 hours (digital)
• Standby time**: 5.4 days (digital)

*Network or subscription-dependent feature.
**Certain features may use more power and cause actual standby and talk times to vary.

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printer-friendly version

Wednesday, October 22, 2003 1:26:38 PM

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► PCS Wireless from Sprint

► Verizon Wireless

You've Never Seen a Card Like This.

Apply Now!

Looking for a cellular phone accessory?

Use our Cellular & PCS Accessories Finder.

NEW! ZipZaps™ SE

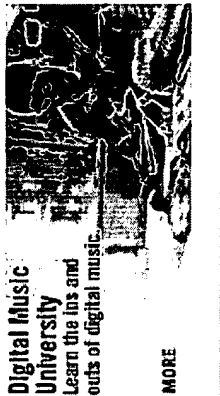
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RadioShack solves your TV hookup problems.

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Batteries & Power

Computers & Networking

Digital Cameras & Imaging

Parts, Tools & Wire

Phones & Radio Communications

School & Office

Security & Home Automation

Toys & Gaming

TV, Satellite & Video

Unique Gadgets & Gifts

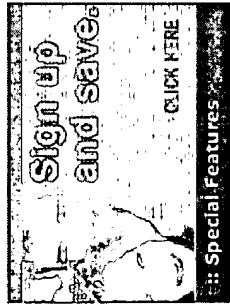
Page 1 of 3 - 1 2 3 Next >>

Find the right accessory quickly. Try our Cellular/PCS Accessories Finder

Total: 22 item(s) — Displaying items 1 - 10

Motorola® T720 for Cingular	Motorola® T720c for Alltel	Kyocera® 3225 for Alltel®	Nokia® 3560 for Cingular	Nokia® 3560 for U.S. Cellular
See Store for Price	See Store for Price	See Store for Price	See Store for Price	See Store for Price
Cat # 17-1553	Cat # 17-1889	Cat # 17-1930	Cat # 17-1555	Cat # 17-1556
More Info	More Info	More Info	More Info	More Info
Nokia 6340 GAIT Wireless Phone for Cingular	Kyocera® 3225 for U.S. Cellular	Kyocera® 5135 for U.S. Cellular	Kyocera® 5135	Kyocera® 5135 for Alltel
See Store for Price	See Store for Price	See Store for Price	See Store for Price	See Store for Price

View by Category



- Special Features
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- Cellular & PCS Accessories Finder
- Gift Cards
- Gift Finder
- LifeWise™
- Rebate Center
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- ZipZaps™
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Cat # 17-1336 More Info	Cat # 17-1931 More Info	Cat # 17-1939 More Info	Cat # 17-1940 More Info	Cat # 17-1938 More Info
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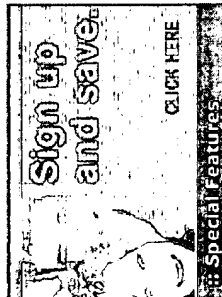
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Total: 22 Item(s) — Displaying items 11 - 20

Motorola C331t for Cingular	Nokia 3585 for U.S. Cellular	Nokia 3590 for Cingular GSM	Motorola V120e for Alltel	Nokia 5185i for Cellular South
See Store for Price	See Store for Price	See Store for Price	See Store for Price	See Store for Price
Cat # 17-1551	Cat # 17-1911	Cat # 17-1544	Cat # 17-1888	Cat # 17-1908
More Info	More Info	More Info	More Info	More Info
Siemens A56 for Cingular GSM	Motorola V120t for Cingular	Motorola V120t for U.S. Cellular	Motorola V120x Wireless Phone for U.S. Cellular	Kyocera QCP-1135 for U.S. Cellular
See Store for Price	See Store for Price	See Store for Price	See Store for Price	See Store for Price

View by Category



- Special Features
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 - Gift Cards
 - Gift Finder
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 - Rebate Center
 - Repair
 - XMODS™
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RCA®
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SPRINT PCS
VERIZON WIRELESS®

Cat # 17-1562 More Info	Cat # 17-1525 More Info	Cat # 17-1528 More Info	Cat # 17-1680 More Info	Cat # 17-1681 More Info
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Page 3 of 3 - 1 2 3 <<|Previous

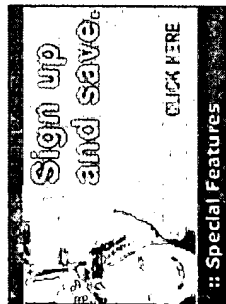
▶ Find the right accessory quickly. Try our Cellular/PCS Accessories Finder

Total: 22 Item(s) -- Displaying items 21 - 22

 NEW Nokia 5125 for Prepaid Cellphone Service See Store for Price Cat # 17-1501 More Info	 NEW Nokia 5180i for Prepaid Cellphone Service See Store for Price Cat # 17-1807 More Info
---	--

Page 3 of 3 - 1 2 3 <<|Previous

View by Category



Special Features

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- Gift Cards
- Gift Finder
- LifeWise™
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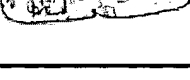



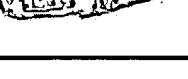



 <p>RadioShack You've got questions. We've got answers. •</p>	<p>Type keyword or product number</p> <input type="text"/>	<p>Search</p>	<p>HOME </p>	<p>CART </p>	<p>HELP </p>	<p>Store Locator</p> <input type="text"/> <input type="button" value="Go"/>
<p align="center">Advanced</p>						
<p>Product Catalog</p>	<p>Monthly Flyer</p>	<p>What's New</p>	<p>What's on Sale</p>	<p>Coupons</p>	<p>Product Manuals</p>	<p>Commercial customers</p>

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Total:11 Item(s) --- Displaying items 1 - 10

 <p>NEW PCS Vision (SM) Phone SPH-i500 by Samsung®</p> <p>See Store for Price</p>	 <p>Handspring™ Treo® 300 PCS Vision(SM)- Enabled P...</p> <p>See Store for Price</p>	 <p>NEW PCS Vision (SM) Picture Phone VGA 1000 by Samsung</p> <p>See Store for Price</p>	 <p>Sanyo® SCP-8100 Picture Phone for Sprint PCS L...</p> <p>See Store for Price</p>	 <p>Sanyo® SCP-8100 for Sprint PCS in White</p> <p>See Store for Price</p>
 <p>Sanyo® SCP-8100 for Sprint PCS in Blue</p> <p>See Store for Price</p>	 <p>Sanyo® 5300 Phone with Embedded Camera for Spr...</p> <p>See Store for Price</p>	 <p>Novatel Aircard for Sprint</p> <p>See Store for Price</p>	 <p>NEW Color Screen PCS Phone 3588i by Nokia®</p> <p>See Store for Price</p>	 <p>Nokia® 3585i for Sprint</p> <p>See Store for Price</p>

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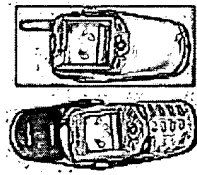
 Radio Shack. <i>You've got questions. We've got answers.</i>		Type keyword or product number <input type="text"/>											
Product Catalog		Monthly Flyer		What's New		What's On Sale		Coupons		Product Manuals		Commercial Customers	

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Total:11 Item(s) — Displaying items 11 - 11



Samsung® Silver SPH-N400 for Sprint

See Store for Price

Cat # 17-2545












More Info

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- Gift Finder
- LifeWise™
- Rebate Center
- Repair
- XMODS™
- ZipZaps™

Featured Partners

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Find the right accessory quickly. Try our Cellular/PCS Accessories Finder

Total: 16 Item(s) — Displaying items 1 - 10

<p>Sierra Wireless AirCard® 555 for Verizon Wireless</p> <p>See Store for Price</p> <p>Cat # 17-1834</p> <p>More Info</p>	<p>Samsung® SCH-A530 for Verizon Wireless</p> <p>See Store for Price</p> <p>Cat # 17-1885</p> <p>More Info</p>	<p>Samsung® SCH-A530 for Verizon Wireless</p> <p>See Store for Price</p> <p>Cat # 17-1884</p> <p>More Info</p>	<p>LG® VX6000 for Verizon Wireless</p> <p>See Store for Price</p> <p>Cat # 17-1917</p> <p>More Info</p>	<p>NEW LG® VX6000 for Verizon Wireless</p> <p>See Store for Price</p> <p>Cat # 17-1918</p> <p>More Info</p>
<p>NEW Motorola® V60p Featuring Push to Talk for Veri...</p> <p>See Store for Price</p>	<p>NEW Motorola® T730 for Verizon Wireless</p> <p>See Store for Price</p>	<p>Motorola® T720c for Verizon Wireless</p> <p>See Store for Price</p>	<p>Samsung® SCH-A310 for Verizon Wireless</p> <p>See Store for Price</p>	<p>LG® VX3100 for Verizon Wireless</p> <p>See Store for Price</p>

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DISH NETWORK™
HP/COMPAQ
LINKSYS®
RCA®
RCA®-DIRECTV®
SPRINT PCS
VERIZON WIRELESS®

Cat # 17-1920 More Info	Cat # 17-1943 More Info	Cat # 17-1865 More Info	Cat # 17-1831 More Info	Cat # 17-1923 More Info
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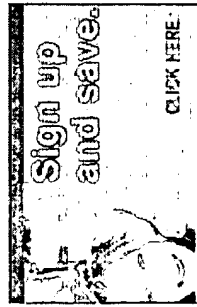
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<p>LG® VX3100 for Verizon Wireless</p> <p>See Store for Price</p> <p>Cat # 17-1924</p> <p>More Info</p>	<p>Motorola® C333 for Verizon Wireless</p> <p>See Store for Price</p> <p>Cat # 17-1870</p> <p>More Info</p>	<p>Motorola® C333 for Verizon Wireless</p> <p>See Store for Price</p> <p>Cat # 17-1869</p> <p>More Info</p>	<p>NEW Motorola® V120e for Verizon Wireless</p> <p>See Store for Price</p> <p>Cat # 17-1887</p> <p>More Info</p>	<p>Kyocera® 2325 for FREEUP Prepaid from Verizon...</p> <p>See Store for Price</p> <p>Cat # 17-1912</p> <p>More Info</p>
<p>Kyocera® 2325 from FREEUP Prepaid for Verizon...</p> <p>See Store for Price</p>				

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Cat # 17-1913

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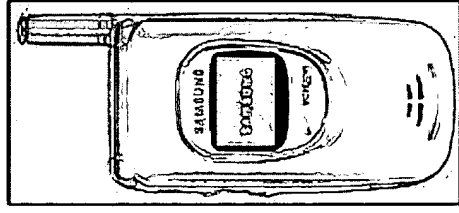
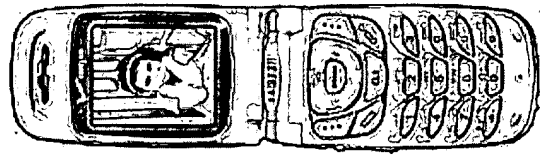
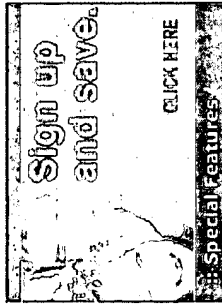
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Samsung@ SCH-A530 for Verizon Wireless

See Store For Price Brand: **Samsung**
 Catalog #: **17-1885** Model: **SCH-A530**
 (Pricing and Availability may vary outside the contiguous 48 United States.)

Where to Buy	
On-line	No
1-800-THE-SHACK	No
In Stores	Yes
Find it at your local store:	Zip code <input type="text"/>

For a limited time only—an extended lithium-ion battery is included. A \$70 value!

It weighs only three ounces, but sports a large, animated color display inside and out. Get It Now(SM) gives you access to the Web, games and more!

Need Related Products?

Click on the accessory you need below, and then click the Add to Cart or Update Cart button.

- [Leather Case for Samsung@ SCH-a530](#)
17-828 **\$29.99**
- [JABRA@ EarSet™ for Hands Free Wireless Communication](#)
17-853 **\$19.99**
- [Holster for Samsung@ SCP-aA530](#)
17-231 **\$12.99**

PRODUCT FEATURES
• All-digital/1X/GPS capable
• Get It Now(SM) capable
• 2.5mm headset jack to accept universal hands-free headsets
• Main display supports up to 8 lines of text
• 128x160 pixel, 65,000 color, STN main display
• 96x64 pixel, 256 color, external display
• Directional navigation key
• Personal organizer
• Voice-activated dialing/voice memo
• Internet* browser
• E911* capable
• Two-way TXT messaging*
• T9 text messaging software

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Samsung® SCH-A530 for Verizon Wireless

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RCA®
RCA®-DIRECTV®
SPRINT PCS
VERIZON WIRELESS®



FoneFree™ Wireless Hands-Free
Transmitter
17-935
\$19.99

• Built-in contact directory stores up to 999 memory locations and each name can have up to 5 associated numbers
• 15 ringtones plus vibrate alert and download more via Get It Now (SM)
• Express Network-compatible with Mobile Office kit (sold separately)
• IOTA capable
• Mobile IP support: UP 4.1.261
• SRAM size: 32MB
• Flash size: 128MB
• PC connector type: USB, Serial
• Network Generation: 3G
• Brew software: 1.1
• Meets FCC SAR limit. Manufacturer's highest FCC reported SAR: 1.47 at ear, 1.39 on body. Actual SAR may vary.
• Mode type: dual-band
• Battery: standard lithium-ion (900mAh)
• Dimensions: 3.2x1.7x0.9" (8.1x4.3x2.3cm) (HWD)
• Standby time: up to 140 hours
• Usage time: up to 160 minutes
• Warranty: one year
• Weight: 3.0 oz. (85g)
• Included accessories: standard lithium-ion battery; extended lithium-ion battery; swivel holster; travel adapter; battery charger and handstrap

*Network or subscription-dependent feature. Not available in all areas.

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